

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LUCAS CALIXTO, et al.

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
THE ARMY, et al.,

Defendants.

Civil Action No.18-1551 (ESH)

DEFENDANTS' SUPPLEMENTAL STATUS REPORT

In accordance with the Court's Order entered on July 31, 2019 (ECF No. 123), Defendants respectfully submitted a status report on August 23, 2019 at 12:31 pm. ECF No. 127. At that time, Defendants informed the Court that they anticipated being able to supplement that status report, specifically with regard to the number of former DTP MAVNIs who received an uncharacterized discharge after being sent to basic training and/or entering active duty.

1. Twenty DTP MAVNIs received an uncharacterized discharge after being sent to basic training and/or entering active duty. The DTP MAVNIs in this group, who were processed for discharge while on active duty status and assigned to the training installation, received notice in advance of discharge in accordance with the procedures described in AR 635-200.

2. As indicated in the Status Report filed earlier today (ECF No. 127), Defendants provided the unredacted separation files to Plaintiffs as ordered by the Court. All of the files provided to Plaintiffs included a USAREC Form 601-210.21 ("Separation Request"). During the inspection of the DEP files, however, the Army determined that not all separation-related files for DEPs included a USAREC Form 601-210.21. The Army does not know at this time how

many separation-related files for DEPs do not include a USAREC Form 601-210.21 but anticipates being able to provide that information to the Court by September 11, 2019 when the next hearing in this case is scheduled.

Dated: August 23, 2019

Respectfully submitted,

JESSIE K. LIU
D.C. Bar # 472845
United States Attorney

DANIEL F. VAN HORN
D.C. Bar # 924092
Chief, Civil Division

By: /s/Jeremy A. Haugh
JEREMY A. HAUGH
Special Assistant United States Attorney
555 4th Street, N.W.
Washington, D.C. 20530
(202) 252-2574
Jeremy.Haugh@usdoj.gov

Attorneys for Defendants